TO THE ZONING COMMISSIONER OF BALITIME The undersigned, legal owner(s) of the predescribed in the description and plat attached he variance from Section 409.2 b (6) TO P	nonomby situate in Talliana s	41 87-128-19	1-821-4.3	
TO THE ZONING COMMISSIONER OF BALITIME The undersigned, legal owner(s) of the predescribed in the description and plat attached he variance from Section 409.2 b (6) TO P	MORE COUNTY:	84-128-11	57-	
The undersigned, legal owner(s) of the predescribed in the description and plat attached have been section 409.2 b (6) TO P	nonomby situate in Talliana s	01		1
Variance from Section 409.2 b (6) TO P	roperty situate in Baltimore County an			1
Variance from Section 409.2 b (6) TO P	iereto and made a part hereof, hereby me	d which is	8	
Tr ree Am Ann		ALLON YOU W	3 2	
IN LIEU OF THE REQUIRED 26 SPAC	CES			
of the Zoning Regulations of Baltimore County, to following reasons: (indicate hardship or practical.Cld established business area was a second to the contraction of the country to the c				
parking on this lot, further, the p	parking pattern in use for t	the past		
site now. * 2. Recorded deed of e	easement(copy enclosed) allo	ows for		
ingress and egress. * 3. Ample pa	arking in the area including	g a 49		
space metered lot across the stre				
I, or we, agree to pay expenses of above Va	erianna adventisias — astino et	11		
petition, and further agree to and are to be boul Baltimore County adopted pursuant to the Zonin	ind by the zoming regulations and resing Law For Baltimore County,	trictions of		
	I/We do solemnly declare under the penalties of perjury,	that I/we		
EGAL OWNER LOT 5411 EAST DRIVE	are the legal owner(s) of the which is the subject of this Peti	e property		
Contract and the second	Legal Owner(s):	٠.		
Type of Print Name)	ROBERT F. WOLF (Type or Print Name)	Sw 5 D		
110 7 0 foo	Ray Not 11.194	2A		1
Separture	Signature	E. D. 3		
2 PALC COURT Address	LOUISE A. WOLF (Type or Print Name)	PATE 4-21-87		
BALTC. HD. 21227	Louise a ribly.	200		
City and State	Signature	1000 (F		
Attorney for Petitioner:	5/17 EACO DOTUS			
(Type or Print Name)	_5417_EAST_DRIVE 242 Address P	-3855 S-17,880 hone No. W 22,080		
Signature	BALTO. MD. 21227 City and State		- 3°	
	Name, address and phone number of legal	Outmon con	732	
Address	tract purchaser or representative to be c	owner, con- contacted	17-7	
City and State	ROBERT F. WOLF		70	S.
Attorney's Telephone No.:	5415 EAST DRIVE 242	-3276		
	Address	hone No.	kobe E/S Ave	
ORDERED By The Zoning Commissioner of	Baltimore County, this12th	day	(S)	
required by the Zoning Law of Baltimore County but Baltimore County, that property be posted, as Commissioner of Baltimore County in Room 16	e subject matter of this petition be adv y, in two newspapers of general circulation	ertised, as on through-	F. W East 413,	
The second of th	oo, county office building in Towson,	the Zoning Baltimore	01f. 541	
County, on the day of	0-4-1	:00 o'clock	et , 32 5, a 13th	ējā kalijā kalijā
<u>A.</u> M.	$\overline{}$		ux 27	
	(sel > 10.		87 S of 5417 c.]	
	Zoning Commissioner of Baltimo	ore County.	-13t Ste Eas Dist	
• (0	ver)	•	t D	
				A 1944
		;		
			The second secon	
and the second s				
	The state of the s	a callinavistička alikitas vletilik	and the second section in	. ya59#

n

CERTIFICATE OF POSTING

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 9 day of October, 1986, that the herein request for a zoning variance to permit nine parking spaces, as per the Petitioner's Exhibit 1, is hereby GRANTED from and after the date of this Order, subject, however, to the following restriction: Landscaping shall be added and maintained.

BEFORE THE IN RE: PETITION FOR ZONING VARIANCE * E/S of East Drive, 327' S of DEPUTY ZONING COMMISSIONER Stevens Avenue (5413, 5415, * and 5417 East Drive) OF PALTIMORE COUNTY 13th Election District Case No. 87-138-A Robert F. Wolf, et ux

Petitioners

The Petitioners herein request a zoning variance to permit nine parking spaces in lieu of the required 26 spaces.

.

Testimony by one of the Petitioners indicates that in 1973 they purchased a hardware business and site, with two buildings and a 40' trailer, the latter to be used chiefly for concrete/sacrete storage. That trailer was placed on the site about 1953/54 and has been utilized for storage continuously since that time. At the time of purchase, a deed of easement (identified herein as Petitioner's Exhibit 2) was executed so that the Petitioners' business is allowed to utilize some parking and an exit on the adjacent property. The amount of parking available on or adjacent to the property has been unchanged for many years. There is a 40-space public parking lot across the street. In fact, the Petitioner provides more parking than other businesses in the vicinity. Many renovations to the site have been accomplished; at this time the Petitioner wishes to replace the trailer with a building having three garage doors, as shown on the plan submitted and identified as Petitioner's Exhibit 1.

There were no Protestants. After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, it is determined that the variance requested would not adversely Jaffect the health, safety, and general welfare of the community and should Htherefore be granted.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING OWSON, MARYLAND 21204

ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

Mr. & Mrs. Robert F. Wolf 5417 East Drive Baltimore, Maryland 21227

> RE: Petition for Zoning Variance E/S of East Drive, 327' S of Stevens Avenue (5413, 5415, and 5417 East Drive) 13th Election District Case No. 87-138-A

Dear Mr. & Mrs. Wolf:

Enclosed please find a copy of the decision rendered on the above referenced Petition. Your request for a zoning variance has been Granted, subject to the restriction stated in the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

> Very truly yours, Deputy Zoning Commissione

JMHJ:bjs

Attachments

cc: People's Counsel

06

13th Election District

Case No. 87-138-A

East Side of East Drive, 327 feet South of Stevens Avenue (5413, 5415, and 5417 East Drive) LOCATION:

ZONING DESCRIPTION 5411 EAST DRIVE

BEGINNING ON THE EAST SIDE OF EAST DRIVE 62 FEET WIDE, AT A POINT 277 FRET SOUTH OF THE SOUTHEAST CORNER OF STEVENS AVE.

BEING LOT "C", PLAT 2, OF ARBUTUS TERRACE. EOOK 10, FOLIO 83.

ALSO KNOWN AS 5411 EAST DRIVE, IN THE 13th ELECTION DISTRICT.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit 9 parking spaces in lieu of the

required 26 spaces

Being the property of Robert A. Wolf. et ux plan filed with the Zoning Office.

hearing set above or made at the hearing.

OF BALTIMORE COUNTY

00

ZONING DESCRIPTION 5413, 5415, 5417 EAST DRIVE

BEGINNING ON THE EAST SIDE OF EAST DRIVE 62 FEET WIDE, AT A POINT 327 FEET SOUTH OF THE SOUTHEAST CORNER OF STEVENS AVE. THEN, S78°04'E 114 FEET, S35°28'W 126.92 FEET, N79°25W 61.77 FEET TO EAST DRIVE, THEN ALONG THE EASTERLY SIDE OF EAST DRIVE N12°16'E 118.58' TO THE POINT OF BEGINNING. CONTAINING 0.24 ACRES MORE OR LESS.

BEING LOTS "D" PLAT 2, IN THE SUBDIVISION OF ARBUTUS TERRACE, BOOK 10, FOLIO 83, ALSO BEING A LOT OF GROUND RECORDED IN LIBER J.W.B. 1556, FOLIO 559, ALSO KNOWN AS 5413,5415,5417 EAST DRIVE, IN THE 13th ELECTION DISTRICT.

Deputy Zoning Commissioner

of Baltimore County/

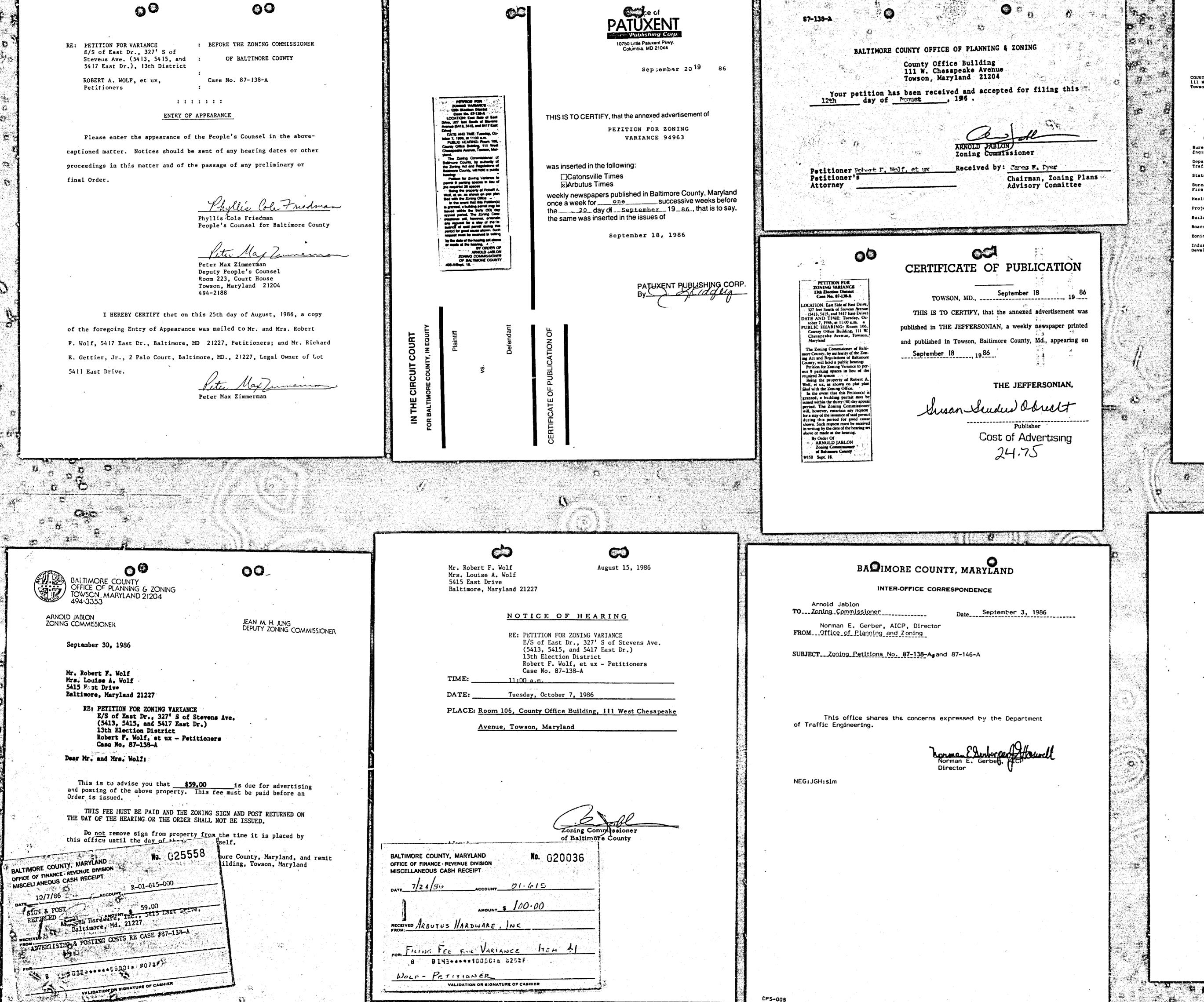
PETITION FOR ZONING VARIANCE

DATE AND TIME: Tuesday, October 7, 1986, at 11:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the

BY ORDER OF ARNOLD JABLON ZONING CXMMISSIONER

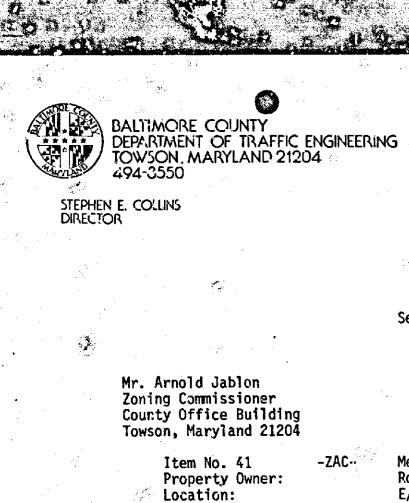


BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Mr. Robert F. Wolf 5417 East Drive Baltimore, Maryland 21227 RE: Item No. 41 - Case No. 87-138-A Petitioner: Robert F. Wolf, et ux Petition for Zoning Variance Bureau of Dear Mr. Wolf: Department of Traffic Engineering The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following State Roads Commission comments are not intended to indicate the appropriateness of the Bureau of Fire Prevention zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans Health Department that may have a bearing on this case. The Director of Planning Project Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. Building Department Board of Education Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are Industrial received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly. Very truly yours, ames E. Dyer /KKB JAMES E. DYER Chairman Zoning Plans Advisory Committee JED:kkb Enclosures

> GF FLANNING AND TOWNS Mr. Arnold Jables Zaming Commissioner County Office Building Towson, Manyland 21204 AUGUST 22, 1986 Re: Zoning Advisory Meeting of August 5, 1986 Property Juner: ROBERT F. WOLF, etal
> LOCALIDATE E/S EAST DR. 327'5. Dear Mr. Jablon: STEVENS AUE . The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The Exems checked below are | There are no site planning factors requiring comment.
> | A County Review Group Meeting is required.
> | A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
> | Janis site is part of a larger tract; therrore it is defined as a subdivision. The plan must show the entire tract.
> | A record plat will be required and must be recorded original interpretation of a publishing permit.
> | The access is not satisfactory.
> | The parking arrangement is not satisfactory.)The parking arrangement is not satisfactory.
>)The parking arrangement is not satisfactory.
>)Parking calculations must be shown on the plan.
> ()This property contains soils which are defined as wetlands, and development on these soils is prohibited. development on these soils is prohibited.
>]Construction in or alteration of the floodolain is prohibited under the provisions of Section 22-53 of the Development under the provisions of Section 22-53 of the Development Regulations.
>
> ()Development of this site may constitute a potential conflict with the Baltimore County Haster Plan.
>
> ()The amended Development Plan was approved by the Planning Board. Induscabing: "use comply with deletimore County Landscape Manual.
>
> The property is located in a deficient service area as defined by Sill 173-79. To building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
>
> The property is incuted in a trainic area controlled by a "0" level intersection as defined by S:11 170-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas intersectional company. SEC. S. OF THE LAND SCOPE MANUAL
> SEC. S. OF THE LAND SCOPE MANUAL
> STOTES: "IN COMMERCIAL OFFICE & INDUSTRIAL
> COMES AN INCREOSE IN THE FLOOR AREA OF LESS
> OF THE SITE IMPACTED CONFORM TO THE STANDORDS OF THE LANDSCAPE MANUAL IN Chief, Current Planning and Demplooment

2 D 3 204

33(3)



Meeting of August 5, 1986 Robert F. Wolf, et ux E/S East Dr. 327' S Stevens Ave. Existing Zoning: B.L. C.C.C. Variance to permit 9 parking spaces Proposed Zoning: in lieu of the required 26 spaces 0.24 acres District:

September 18, 1986

Dear Mr. Jablon:

The requested variance to parking can be expected to add to the existing parking problems in the area.

Traffic Engineer Associate II

(B) A building and other miscellaneous parmits shall be required before the start of any construction E. All Use Groupe except R-4 Single Pamily Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to am interior lot line. R-4 Use Groupe require a one hour wall if closer than 3'-0 to am interior lot line. Any wall built on am interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or The proposed project appears to be located in a Flood Plain, Fidal/Riverins. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill \$17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement. Library A 3 hour fire wall is required for any wall that abuts a property line, such as the sast wall. The north wall would require a minimum 1 hour fire rating. The south wall! being an occupancy separation required by 313.2 would also be a 3 hour wall. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired

E/S East Dr. 327' S Stevens Avenue

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES

TOWSON, MARYLAND 21204

TED ZALESKI, JR. DIRECTOR

BALTIMORE COUNTY
FIRE DEPARTMENT
10WSON, MARYLAND 21204-2586
494-4500 August 14, 1986 PAUL H. REINCKE CHIEF Mr, Arnold Jablon Zoning Commissioner Office of Flanning and Zoning Baltimore County Office Building Towson Maryland 21204 CRE: Property Owner: Robert F. Wolf, et ux Location: E/S East Drive 327' S. Stevens Avenue Zoning Agenda: Meeting of 8/5/86 Item No.: 41 Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. A second means of vehicle access is required for the site. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy. 6. Site plans are approved, as drawn.

ire Prevention Bureau

7. The Fire Prevention Bureau has no commer

REVIEWER: C. D. Ornell Telly F-14-6 Approved:

LIBER5393 PAGE395 THIS DEED OF EASEMENT, Made this _____ day of __, in the year one thousand nine hundred and seventy-three, by and between LAND PLANNING CORPORATION OF ARBUTUS, a body corporate, party of the first part; CHARLES J. KLEIN and ANNE B. KLEIN, his wife, parties of the second part; and RCBERT and LOUISE A. WOLF, his wife, F. WOLF, party of the third part. MEREAS, the party of the first part is the owner of property No. 5411 East Drive by virtue of a Deed to it from CHARLES J. KLEIN and wife, dated September 30, 1957, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3253, folio 243, and WHEREAS, the parties of the second part are the owners of property No. 5413 East Drive by virtue of a Deed to them from Milton R. Dixon and wife, dated October 2, 1959, and recorded among the Land Records of Bultimore County in Liber W.J.R. No. 3606, folio 583, and WHEREAS, the party of the third part is the owner of properties Nos. 5415 and 5417 East Drive by virtue of a Deed from Charles J. Klein and wife, dated August 31, 1973, and recorded among the Land Records of Baltimore County prior hereto, and WHEREAS, the parties hereto wish to enter into an Agreement as to the use by the party of the third part over properties Nos. 5411 and 5413 East Drive. NOW, THEREFORE THESE PRESENTS ARE EXECUTED, WITNESSETH, that in consideration of the sum of Five Dollars and other good and valuable considerations, paid unto the parties of the first and second part, the receipt whereof is hereby acknowledged, the said parties of the first and second part do hereby grant and convey unto the said party of the third part, their heirs and assigns, the right to the use of properties Nos. 5411 and 5413 East Drive, Baltimore County, Maryland, as follows: 1. The right to the use of the lot located and known as No. 5413 East Drive and more particularly described in the Deed hereinabove referred to for ingress and egress purposes and for a

LIBER5393 FASE396

parking lot for customers. The party of the second part shall keep the aforesaid lot in repair and free from debris, snow, ice, etc., and with the further right unto the party of the third part to park, load and unload the trailer located at the rear of said lot. The party of the third part shall also have the exclusive and absolute use to the sidewalk located on said lot immediately adjacent to the building No. 5415 East Drive with the right to erect fencing, roofing or siding along or over said sidewalk if they so desire. The party of the second part shall be responsible for real estate taxes on said property for a period of ten (10) years from the date of this Deed and after said ten (10) year period, the real estate taxes shall be payable one-half by the party of the second part and one-half by the party of the third part. The cost of cleaning snow removal and maintenance expenses shall likewise be paid by the party of the second part for a period of ten (10) years from the date of this Deed and thereafter shall be paid one-half by the party of the second part and onehalf by the party of the third part.

- . 2. The party of the third part shall have the right to the use of property No. 5411 East Drive for egress purposes from the lot located at No. 5413 East Drive and the premises located at Nos. 5415 and 5417 East Drive.
- 3. In the event the party of the second part shall receive: from a third party at any time after the date of this Deed a bona fide offer to purchase the lot known as No. 5413 East Drive. Baltimore County, Maryland, at a specified price whether such price be first fixed by the party of the second part herein or the third party, and the party of the second part herein shall decide to sell the same for such amount, the party of the second part herein shall promptly give to the party of the third part herein notice of the terms of such offer and of the party of the second part's willingness to sell for the price offered and the said party of the third part herein shall have the first refusal and

August 14, 1986

